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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,257	01/02/2004	Kwon O. Sung	10808/121	7472

48581 7590 10/30/2006

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CHICAGO, IL 60610

EXAMINER

TRAN, BINH X

ART UNIT	PAPER NUMBER
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1765

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/ 751,257

EXAMINER

ART UNIT

PAPER

20061017

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

DETAILED ACTION**Drawings**

The drawings were received on 09-01-2006. These drawings are acceptable.

Information Disclosure Statement

The information disclosure statement filed 09-01-2006 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered. In page 2 of the information disclosure statement, the applicants wrote "Applicants hereby certifies pursuant to 37 C.F.R §1.97(e) (1) that NO item of information in the Statement was first cited in any communication from a foreign patent office in a counterpart foreign application more that three months prior to the filing of this Statement" (emphasis added). This is not an acceptable statement pursuant to 37 C.F.R §1.97(e). The MPEP chapter 2300, section 37 C.F.R §1.97(e) clearly states that

e) A statement under this section must state either:

- (1) That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- (2) That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The statement cited by applicant clearly does not satisfy with either statement in 37 C.F.R §1.97(e).

Conclusion

Applicant has THREE MONTHS FROM THE "MAILING DATE" of the Notice of Allowability to file a reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh X. Tran whose telephone number is (571) 272-1469. The examiner can normally be reached on Monday-Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571)

272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Binh X. Tran

Attachment: Information Disclosure Statement PTO -1449 filed on 09-01-2006

DUY V. DEO
PRIMARY EXAMINER

